

United States Court of Appeals
FOR THE EIGHTH CIRCUIT

No. 05-2633

George Spann,

Appellant,

v.

Arkansas Department of Finance and
Administration,

Appellee.

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* Appeal from the United States

* District Court for the

* Eastern District of Arkansas.

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* [UNPUBLISHED]

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Submitted: June 14, 2006

Filed: June 19, 2006

Before MELLOY, FAGG, and BENTON, Circuit Judges.

PER CURIAM.

George Spann appeals the district court's¹ adverse grant of summary judgment in his Title VII employment-discrimination suit against his former employer, Arkansas Department of Finance and Administration (AFDA). Having carefully reviewed the record, *see Kincaid v. City of Omaha*, 378 F.3d 799, 803-04 (8th Cir. 2004) (de novo standard of review), we agree with the district court that Spann failed to establish that AFDA's proffered legitimate, nondiscriminatory reason for the adverse actions taken

¹The Honorable J. Leon Holmes, Chief Judge, United States District Court for the Eastern District of Arkansas.

against Spann--continued performance deficiencies--were pretextual. *See Gilooly v. Mo. Dep't of Health & Senior Servs.*, 421 F.3d 734, 739 (8th Cir. 2005) (burden-shifting analysis). Accordingly, we affirm. *See* 8th Cir. R. 47B.
